

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

*

CRIMINAL NO. DKC-13-0204

v.

*

JAMAR HOLT

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Defendant

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**RESPONSE OF THE UNITED STATES OF AMERICA
TO DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF THE IDENTITY OF
ALRAHMAN SHARIF ALLEN'S UNIDENTIFIED SUPPLIER AND INCORPORATED
MEMORANDUM OF LAW**

1. The United States of America, by and through its undersigned counsel, hereby respectfully submits the following response to the Defendant's Motion to Compel Disclosure of the Identity of Alrahman Sharif Allen's Unidentified Supplier and Incorporated Memorandum of La (Docket No. 127).

2. On January 23, 2014, the Defendant filed this motion seeking to compel the Government to disclose what information it possesses regarding the identity of FNU LNU "First Name Unknown, Last Name Unknown," who was mentioned in DEA Task Force Officer Mark Howard's April 9, 2013 Affidavit in Support of the Application to Continue Intercepts of Wire Communications over telephone number (443) 991-0803, used by Alrahman Sharif Allen ("Target Telephone #2").

3. The Government does not believe that the information the Defendant has requested is discoverable under Federal Rules of Criminal Procedure 16 and 26.2 or under *Brady v. Maryland*, 373 U.S. 83 (1963). However, out of an abundance of caution, and without

waiving its right to contest this motion, the Government provides the information it currently possesses regarding FNU LNU.

4. In May 2013, defense counsel received Mark Howard's April 9, 2013 Affidavit, and the recordings of the intercepted calls on Target Telephone #2 and on Target Telephone #1. As set forth in those discovery materials, FNU LNU utilized telephone number, (410) 703-6814.

5. By letter dated December 12, 2013, the Government provided defense counsel with CDs containing the contents of multiple cellphones that the Government seized and searched, including several phones used by Alrahman Sharif Allen. One of those CDs (Bates No. 5215), contained the contact list for Target Telephone #2 (DEA Exhibit N-102). FNU LNU's number is listed in entry number 237, and is associated with an individual nicknamed "Sky."

6. The Government has contacted the agents on this case and asked whether the Government ever received subscriber information for the telephone number associated with FNU LNU. Those agents advised that they had requested that information and that Verizon Wireless responded that FNU LNU's telephone number is associated with a prepaid phone from OAS Phone in the Box. The Government presently has no other information regarding FNU LNU.

7. To the extent the Government learns additional information related to FNU LNU, it will be provided if and when it is received.

8. Wherefore the Government respectfully requests this Court deny the motion to compel as moot.

Respectfully submitted,

Rod J. Rosenstein
United States Attorney

By: _____ /s/ _____
Leah Jo Bressack
Deborah A. Johnston
Assistant United States Attorneys

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of January 2014, the foregoing Response to the Defendant's Motion to Compel Disclosure of the Identity of Alrahman Sharif Allen's Unidentified Supplier and Incorporated Memorandum of Law (docket no. 127) was served on all parties and their counsel via ECF.

_____/s/_____
Leah Jo Bressack